

Entered - 03-17-03 sb
CL 03L0213 GWENDOLYN BURNS

CLAIM OF: **PROGRESSIVE INSURANCE COMPANY**
as subrogee of Jesse Duffy
P. O. Box 89440
Cleveland, OH 44101-6440


03-R-0986

For vehicular damages alleged to have been sustained from an automobile accident on December 21, 2002 at Lakewood Avenue, SE & Macon Drive, SE.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **PROGRESSIVE INSURANCE COMPANY** as subrogee of **Jesse Duffy** the sum of **\$2,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained from an automobile accident on December 21, 2002 at Lakewood Avenue, SE & Macon Drive, SE as is more particularly set forth in the within claim; said sum taken from and charged to account **2J01/529017/T31001**, Settlement of Suits and Claims, Department of Law.

APPROVED: LINDA K. DISANTIS
CITY ATTORNEY

BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

FAVORABLE REPORT

COMM: Public Safety

DATE: 7/1/03

CHAIR: [Signature]

[Signature]

C. T. Moore

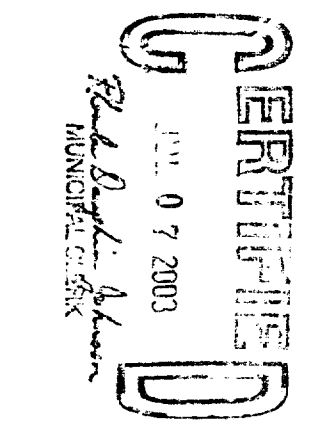
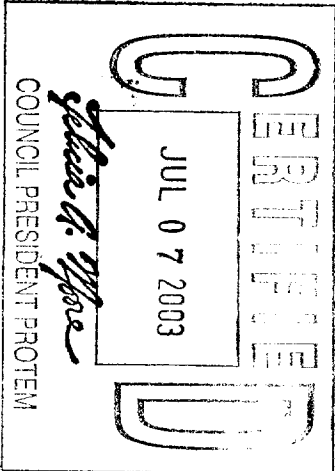
W. J. Woodward

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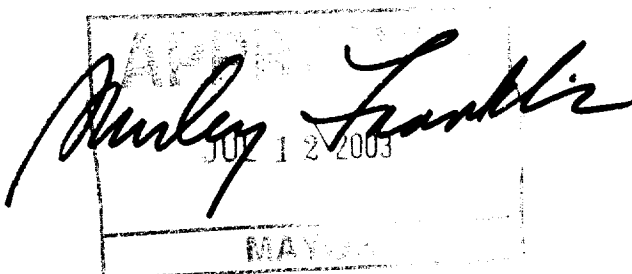
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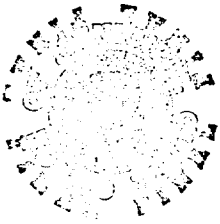
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ADOPTED BY
JUL 07 2003
COUNCIL





**zMUNICIPAL CLERK
ATLANTA, GEORGIA**

03-R-0986

A RESOLUTION

**BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Progressive Insurance Company as subrogee of Jesse Duffy** in the sum of **\$2,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained **from an automobile accident on December 21, 2002 at Lakewood Avenue, SE & Macon Drive, SE** as is more particularly set forth in the within claim; said sum taken from and charged to Account 2J01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy

Deputy Clerk

**ADOPTED by the Council
APPROVED by the Mayor**

JULY 07, 2003
JULY 12, 2003

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 03L0213

Date: June 14, 2003

Claimant /Victim JESSE DUFFY
BY: (Atty) (Ins. Co.) _____
Address: P.O. Box 89440, Cleveland, Ohio 44101-6440
Subrogation: X Claim for Property damage \$ 2,142.16 Personal injury \$ _____
Date of Notice: 3/11/03 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 12/21/02 Place: Lakewood Avenue, SE & Macon Drive, SE
Department WATERSHED MANAGEMENT Division Sewer Operations
Employee involved Michael Hickey Disciplinary Action: Pending Review

NATURE OF CLAIM: Claimant's vehicle sustained damage when it was struck by a City vehicle that "failed to obey a traffic device". The City driver was cited for same.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____
Pictures X Diagrams _____ Reports: Police X Dept Report X Other _____
Traffic citations issued: City Driver X Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

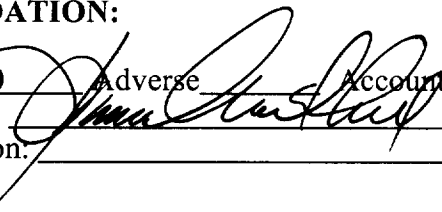
BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable X
City not involved _____ Offer rejected _____ Compromise settlement X
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 2,000.00 Adverse _____ Account charged: 1A01 _____ 2J01 X 2P01 _____ 2H01 _____
Claims Manager:  Concur/date 06-17-03
Committee Action: _____ Council Action _____

RCS# 4853
7/07/03
4:05 PM

Atlanta City Council

Regular Session

CONS AGEN I Pgs 1 - 14 except:0715,0976
0852, 0950, 0946, 0963, 0926, 0975
ADOPT

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 0
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	B Woolard

		7/07/03 Full Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 03-O-0850 2. 03-O-0949 3. 03-O-0955 4. 03-O-0909 5. 03-O-0961 6. 03-O-0553 7. 03-O-0925 8. 03-R-0981 9. 03-R-0956 10. 03-R-0965 11. 03-R-1033 12. 03-R-0920 13. 03-R-0945 14. 03-R-0966 15. 03-R-0967 16. 03-R-0968 17. 03-R-0969 18. 03-R-0977 19. 03-R-0978 20. 03-R-0979 21. 03-R-0889 22. 03-R-0940 23. 03-R-0941 24. 03-R-0942 25. 03-R-0943 26. 03-R-0944 27. 03-R-0962 28. 03-R-0983 29. 03-R-0984 30. 03-R-0985 31. 03-R-0986 32. 03-R-0987 33. 03-R-0988 34. 03-R-0989 35. 03-R-0991 36. 03-R-0992 37. 03-R-0994	38. 03-R-0989 39. 03-R-0991 40. 03-R-0992 41. 03-R-0994 42. 03-R-0995 43. 03-R-0996 44. 03-R-0997 45. 03-R-0998 46. 03-R-0999 47. 03-R-1000 48. 03-R-1001	49. 03-R-1002 50. 03-R-1004 51. 03-R-1005 52. 03-R-1006 53. 03-R-1007 54. 03-R-1008 55. 03-R-1009 56. 03-R-1010 57. 03-R-1011 58. 03-R-1012 59. 03-R-1013 60. 03-R-1014 61. 03-R-1015 62. 03-R-1016 63. 03-R-1017 64. 03-R-1018 65. 03-R-1019 66. 03-R-1020 67. 03-R-1021 68. 03-R-1022 69. 03-R-1023 70. 03-R-1024 71. 03-R-1025 72. 03-R-1026 73. 03-R-1027 74. 03-R-1028

Consent I Vote: 15 Yeas; 0Nays: (See RCS #4853)

Items Removed from the Consent Agenda: 03-O-0852; 03-O-0926; 03-O-0950; 03-R-0715; 03-R-0946; 03-R-963; 03-R-0975; 03-R-0976